IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2838 of 2005

Between:

Bedala Akki Reddy, S/o. Akkireddy, aged about 22 years,

R/o. No.27, Jillalaguda Village, Saroornagar Mandal, R.R. District.

...PETITIONER

AND

1. The Secretary to the Government,

Department of Revenue (Assignments)

Secretariat, Hyderabad.

2. The District Collector,

Ranga Reddy District,

Lakdikapool, Hyderabad.

3. The Mandald Revenue Officer,

Saroornagar Mandal, R.R. District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents innot assigning the land in Sy.No.61 to an

extent of Ac.2.35 gts situated at Jillelaguda Village, Saroornagar Mandal, Ranga Reddy District as bad, arbitrary and contrary to B.s.O. 15 Para 7 and also offends Article 14 and 21 of the Constitution of India and consequently direct the respondents to consider the petitioner for grant of patta to the land in Sy.No.61 to an extent of Ac.2-35 gts under BSO 15 para 7.

Counsel for the Petitioner: MS.M.VIDYAVATHI

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

-

-

-

-

-

ORDER:

The petitioner claims to be in possession and enjoyment of the land to an extent of Ac.2.39 guntas situated at Jillalaguda Village of Saroor Nagar Mandal, Ranga Reddy District, for the past 40 years.

It is not in dispute that the said land is a Government land. As a matter of fact, proceedings have been initiated for eviction of the petitioner under the provisions of the A.P. Land Grabbing (Prohibition) Act and the same was held against the petitioner by the Special Tribunal. The appeal preferred by the petitioner was dismissed and even W.P.No.997 of 1995 was dismissed by this Court. However, the petitioner states that since he has been in occupation of the land for the past several years, he is entitled for assignment of the same under the provisions of B.S.O.15 and accordingly he made a representation before the first respondent requesting for assignment of the land expressing his willingness to pay the market value. The petitioner has placed before this Court a copy of the letter dated 21-05-2004 addressed by the District Collector, Ranga Reddy District, requesting the Deputy Collector to enquire into the representation made by the petitioner and send a report for taking further necessary action.

The only grievance of the petitioner is that no further steps have been taken by the respondents herein on the request made by him for assignment of land in question, so far. Though the learned Government Pleader states that the land

belongs to the Government, nothing has been placed before this Court to show that any orders have been passed on the representation made by the petitioner in the month of March, 2004. The petitioner states that on the basis of the said representation, the District Collector by letter dated 21-05-2004 has also called for a report from the Deputy Collector.

In the circumstances, without expressing any opinion as to the entitlement of the petitioner for assignment of the land in question, the writ petition is disposed of with a direction to the second respondent-District Collector, to consider the representation made by the petitioner and pass appropriate orders, in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. It is made clear, till such time the petitioner shall not be dispossessed without following due process of law, if the petitioner is continuing in possession as on to day.

The Writ Petition is accordingly disposed of. No order as to costs.

_____

G.ROHINI, J

Dated: 17-02-2005

LSK

ASSISTANT REGISTRAR

To

1. The Secretary to the Government,

Department of Revenue (Assignments)

Secretariat, Hyderabad.

2. The District Collector,

Ranga Reddy District,

Lakdikapool, Hyderabad.

3. The Mandald Revenue Officer,

Saroornagar Mandal, R.R. District.

4. Two C.Cs. to the Government Pleader for Revenue, High Court Buildings, Hyderabad. (O.U.T.)

5. Two C.D. copies.